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APPLICATION GRANTED
SO ORDERED 
VERNON S. BRODERICK
U.S.D.J.

The parties are directed to file a joint letter noting the status of the arbitration proceedings on November 25, 2024, and every 90 days thereafter. The Clerk of Court is respectfully directed to stay this case.

Writer's Direct: Clara Lam, Esq.
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Via ECF

Hon. Vernon S. Broderick, U.S.D.J.
United States District Court
Southern District of New York
40 Foley Square
New York, NY 10007

Dated: August 26, 2024

RE: *Moore v. FQSR, LLC d/b/a KBP Foods*
Case No. 1:24-cv-5835(VSB)(KHP)

Dear Judge Broderick,

We are counsel for Plaintiff in the above-captioned matter. We write, jointly with approval from counsel for Defendants, in response to Defendants' Motion to Compel Arbitration and to Stay this Action (Dkt Nos. 7-9), to request a stay in the proceedings pending arbitration.

Where requested, courts in the Second Circuit have typically ordered a stay in the proceedings pending arbitration. "As the Second Circuit has observed, a stay permits the parties to move their dispute 'out of court and into arbitration as quickly and easily as possible.'" *Zambrano v. Strategic Delivery Solutions, LLC*, 2016 U.S. Dist. LEXIS 130533, at *33 (S.D.N.Y. Sept. 22, 2016), quoting *Katz v. Cellco P'ship*, 794 F.3d 341, 347 (2d Cir. 2015). Further, that "[a] stay would also allow the Court, at a later stage, to address any claim by Plaintiffs that they were not able to vindicate all their statutory rights due to costs or fees imposed on them in arbitration." *Id.*, citing *In re Currency Conversion Fee Antitrust Litig.*, 265 F. Supp. 2d 385, 413 (S.D.N.Y. 2003).

Additionally, the U.S. Supreme Court recently held in *Smith v. Spizzirri*, 601 U.S. 472, 478 (2024), that "[w]hen a district court finds that a lawsuit involves an arbitrable dispute, and a party requests a stay pending arbitration, § 3 of the FAA compels the court to stay the proceedings." Therefore, we respectfully request that Your Honor stay all proceedings in this matter, including the Court's referral of the herein matter to S.D.N.Y. Mediation, pending completion of arbitration.

We thank the Court for its time and consideration.

Respectfully submitted,
/s/ Clara Lam

cc: all parties via ECF